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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 11, 2002

PETITION OF

MARK E. DECOT

CASE NO. PUC010217

Complaint against Williams
Communications, Inc.

ORDER

On October 22, 2001, Mark E. Decot ("Petitioner") filed a Petition of complaint ("Complaint") against Williams Communications, Inc. formerly known as Vyvx, Inc. ("WCI" and "Defendant"), with the State Corporation Commission ("Commission") requesting that the Commission initiate proceedings in accordance with 5 VAC 5-20-90 of the Commission's Rules of Practice and Procedure ("Rules") and issue a rule to show cause for a formal investigation of WCI. Specifically, the Petitioner alleges that WCI has failed to remedy damages to Petitioner and other landowners as a result of its installation of interstate telephone cables across said property located in Orange County, Virginia.

NOW THE COMMISSION, having considered the Petitioner's Complaint and Rule 5 VAC 5-20-100 of the Commission's Rules of Practice and Procedure ("Rules"), is of the opinion that this matter should be docketed as a formal proceeding under 5 VAC 5-

20-100 B of the Rules and that WCI shall be made a defendant in this case. Pursuant to 5 VAC 5-20-100 B, WCI shall file a response to the Petitioner's Complaint within twenty-one (21) days of service or no later than March 11, 2002. Furthermore, because the Commission has no indication that Petitioner has secured adequate service on WCI or its counsel, a copy of Petitioner's Complaint is attached to this Order ("Attachment A"), and said Order and attachment shall be served by the Clerk of the Commission upon WCI's counsel. Finally, Petitioner shall file a reply to WCI's response within ten days (10) of service of WCI's response or no later than March 25, 2002. This matter should be docketed and assigned to a Hearing Examiner pursuant to Rule 5 VAC 5-20-120 A of the Commission's Rules to establish a procedural schedule and to conduct all further proceedings.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUC010217.
- (2) Defendant WCI shall file a response to the Petitioner's Complaint within twenty-one (21) days of service or no later than March 11, 2002.
- (3) Petitioner shall file a reply to WCI's response within ten days (10) of service of WCI's response or no later than March 25, 2002.

(4) Pursuant to Rule 5 VAC 5-20-120 A of the Commission's Rules of Practice and Procedure, a Hearing Examiner is appointed to conduct all further proceedings in this matter.